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TAGS: [ECON](#) [EWWT](#) [KCRM](#) [MARR](#) [PBTS](#) [PGOV](#) [PHSA](#) [PREL](#)
SUBJECT: DEMARCHE: EGYPTIAN PROSECUTION SUSPECTED M/V
AMIRA PIRATES

SUMMARY

¶1. Department requests that Embassy approach the Government of Egypt (GOE) at the earliest possible opportunity to gauge GOE's willingness to accept for prosecution 17 suspected pirates, currently in the custody of the U.S. Navy, for the piratical attack on May 13 of the Egyptian-flagged, Egyptian-owned, and Egyptian-crewed bulk carrier M/V AMIRA.

OBJECTIVES

¶2. Post should outline to GOE the significant connections between Egypt and the M/V AMIRA and inquire whether Egypt is interested in exercising jurisdiction over the suspects currently in custody aboard the USS GETTYSBURG. Post should attempt to gauge Egypt's level of interest (including jurisdiction under current Egyptian law) regarding prosecution of suspects and whether Egypt is interested in working with the United States to resolve this matter in a manner that ensures that the suspects are brought to justice, while being treated humanely.

¶3. If Egypt expresses interest in exercising jurisdiction, post should not/not make any commitment to transfer the suspects from US to Egyptian custody. Rather, post should express appreciation for Egypt's willingness to work with the United States on this matter and note that we will be in communication shortly regarding further details on how we might be able to arrange for the transfer of custody on mutually acceptable terms.

¶4. In the event that Egypt does not express interest in exercising jurisdiction, post should inquire as to the reasons why Egypt is unwilling or unable to exercise jurisdiction in this case, emphasize the importance of shared responsibility in the international community's response to the problem of piracy, and reiterate the USG view that affected states should, where possible, prosecute suspected pirates that attack their interests.

REPORTING DEADLINE

¶5. Post should report results of the demarche by cable and by email by May 21 to PM/PPA Donna Hopkins, hopkinsdl@state.sgov.gov, 202-647-0792.

BACKGROUND

¶6. USS GETTYSBURG is holding 17 suspected pirates seized from the attempted pirating on May 13 of the Egyptian-flagged, Egyptian-owned bulk carrier M/V AMIRA, which had on board 20 Egyptian and 1 Romanian crewmembers and 3 UK security guards. M/V AMIRA was attacked in

international waters by men in a skiff operating from a mother ship, reportedly registered in Puntland, Somalia. The 17 suspects, all of whom are believed to be Somali, were taken from both the mother ship and the skiff. The embarked U.S. Coast Guard Law Enforcement Detachment aboard GETTYSBURG reports a strong evidentiary case for prosecution, including witness statements, video, photographs, seized vessels, weapons, ammunition, and boarding paraphernalia.

¶17. The United States believes that states affected by piracy have a responsibility to prosecute suspected pirates in their domestic courts. Several countries have interests in the case (Egypt, Greece, Romania, and UK), but because of Egypt,s strong nexus to the piratical attempt (Egyptian registry and ownership and 20 of 21 crew members of Egyptian nationality), the United States wants to gauge the GOE,s interest in prosecuting the 17 suspects in Egyptian court. If the GOE agrees to explore exercising jurisdiction, then as part of our negotiations on the terms fo the transfer, we will have to receive credible written assurances from the GOE that the suspect(s) will not be subject to torture or inhumane treatment. We will provide specific guidance on that subject at that time.

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